

**LICENSE COMMITTEE MEETING
MONDAY, JANUARY 25, 2010 @ 6:00 PM**

ITEM #1

Application for a license to drive a cab in the city for Yellow Cab.

Applicant Jorge Villodas
 85 Brickett Street
 Springfield, MA 01119

ITEM #2

Application for an amendment of hours for a Class I License and add service hours on Sunday. Sales from 11-5, service 10-2 for Curry Honda

Applicant Bernard Curry, III
 767 Memorial Drive
 Chicopee, MA 01020

ITEM #3

Application for a Junk Dealers License for Furnari Jewelers located at 1189 Memorial Drive.

Applicant Anthony Furnari
 43 Farmsted Ln
 Suffield, CT 07068

ITEM #4

Application for an Auto Body / Auto Repair License for Euro Glass & Frame Automotive located at 164 Chicopee Street.

Applicant Kenelma D. Rivera
 596 Westfield Street
 West Springfield, MA 01089

ITEM #5

Application for a Class II License for Chicopee Street Auto Sales, Inc. located at 363 Chicopee Street.

Applicant Wayne Pare
 8 Cheney Street
 Three Rivers, MA 01080

ITEM #6

Application for a change of location for a Class II and Auto Repair license within the same building moving from one bay to another. From 930 Front Street to 926 Front Street.

Applicant Margarita Santana
 41 George Street, 2nd Fl.
 Westfield, MA 01085

ITEM #7

Application for an Auto Detail License for Clean Impressions Auto Detailing, 932 Front Street.

Applicant Ricardo Gonzalez
 28 Abbe Avenue
 Springfield, MA 01107

ITEM #8

Application for an Auto Repair License for Oil -N-Ink located at 184 Center Street.

Applicant Stephen Zepke
 174 Shaker Road
 East Longmeadow, MA 01028

ITEM #9

2010 Class II renewal of Bernie's Auto Sales located at 1057 Montgomery Street.

License holder: Daniel Bernashe
 165 Chicopee Street
 Granby, MA

ITEM #10

Jerry's Cycle Repair located at 102 Old Fuller Road. License holder is to provide a copy of the rental agreement.

License holder Michelle Newell

ITEM #11

Application for an Auto Repair License for Freedom Cycle located at 562 Chicopee Street.

Applicant Jeff Heath
 81 Meadow Street
 Chicopee, MA 01013

ITEM #12

ORDERED THAT Izzy's Garage & Shop, Inc., 562 Chicopee Street, Class II be called in before the License Committee for violation of restrictions. At this meeting the Committee may suspend, modify, or revoke the license.

ITEM #13

ORDERED THAT T & H Truck Sales, Inc., d/b/a Krystle Kleen Auto Sales, 235 Meadow Street, be called in before the License Committee for possible operation of a Class III without a license.

ITEM #14

Minutes



CHICOPEE CITY COUNCIL

LICENSE COMMITTEE

ACCEPTED 2-22-10

Members

Ronald R. Belair, Chairman
Dino A. Brunetti, Vice-Chairman
George Moreau
Fred Krampits
Robert J. Zygarowski

MINUTES **January 25, 2010**

The following are the minutes of a public hearing held Monday, January 25, 2010 at 6:00 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present

Belair, Brunetti, Moreau, Krampits, Zygarowski

Also Present

Kate Brown (Planning Director), Daniel Garvey (Associate City Solicitor), Captain Halpin (Fire Department), Councilor Laflamme

The meeting was called to order at 6:00 PM

ITEM #1

Application for a license to drive a cab in the City for Yellow Cab.

Applicant Jorge Villodas, 85 Brickett Street, Springfield, MA 01119

Applicant not present

Motion made to table.

ITEM #2

Application for an amendment of hours for a Class I License and add service hours on Sunday. Sales from 11-5, Service 10-2.

Applicant Curry Honda
 Bernard Curry, III
 767 Memorial Drive
 Chicopee, MA 01020

The following letter dated January 14, 2010 was read

Dear Mr. Belair:

In regards to the above mentioned amendment to our Dealer License, please accept this letter as our request to withdraw at this time. We apologize for any inconvenience. Thank you for your time in this matter.

Sincerely,

Bernard Curry, III
Owner

Motion made by Councilor Moreau to accept leave to withdraw.

Committee vote 5 - 0 favorable.

ITEM #3

Application for a Junk Dealers License for Furnari Jewelers located at 1189 Memorial Drive.

Applicant Anthony Furnari
 43 Farmsted Lane
 Suffield, CT 07068

Robert Marchand, Manager, was present.

Chairman Belair asked Mr. Marchand if he received a copy of the ordinance pertaining to Junk Dealers Licenses. Mr. Marchand responded that he has a copy.

Motion made by Councilor Zygarowski to approve.

Committee vote 5 – 0 favorable.

ITEM #4

Application for an Auto Body/Auto Repair License for Euro Glass & Frame Automotive located at 164 Chicopee Street.

Applicant Kenelma D. Rivera
 596 Westfield Street
 West Springfield, MA 01089

Applicant was present at the meeting.

The following recommendations were read:

Planning Department

Inadequate plan

Health Department

No concerns at this time

Engineering Department

Denial, site plan does not meet City Code 188-16

Fire Department

1. The business shall comply with 527 CMR 5.00, Operation and Maintenance of Buildings Used for Garages; 527 CMR 9.00, Tanks and Containers, (Waste Oil Storage); 527 CMR 10.00, Prevention of Fires in Buildings; and 527 CMR 14.00, Storage of Flammable Liquids and Gases, of the Board of Fire Prevention Regulations.
2. Applicant will be required to obtain and maintain all necessary permits,
3. Spray operations shall not be conducted in the same room where vehicles are repaired, kept or stored.
4. All spray spaces (spray booths, spray rooms, and spray storage rooms) shall be protected with an automatic fire suppression system.

5. The structure and equipment shall comply with NFPA 33, Standard for Spray Application Using Flammable or Combustible Materials and NFPA 34, Standard for Dipping and Coating Processes using Flammable or Combustible Liquids.
6. The storage handling, and mixing of flammable and combustible liquids shall meet the requirements of NFPA 30, Flammable and Combustible Liquids Code.
7. No parking against the structure.
8. Fire extinguishers are required. All extinguishers must be rated at a minimum of 40 B:C. The number of extinguishers required will be determined at a later date.
9. All full inspection of the facility must be conducted by the Fire Prevention Bureau prior to the commencement of any work in the building.

Concern: The space in question does not contain a spray booth yet the applicant is applying for an Auto Repair/Auto Body License. If there is not in fact a spray booth in the facility that conforms to the above listed codes then an Auto Body License shall not be granted.

The applicant stated that she would like to strike Auto Body from her application. She only wants to apply for an Auto Repair License. The committee informed the applicant that she must submit a new plan that follows the instructions of a plot plan in the code book. The committee provided the applicant with the necessary requirements for submitting the plan. The committee further informed the applicant that she work with the property owner to draw up the plan to indicate where each business will park their vehicles on the property.

Motion made by Councilor Zygarowski to table. Motion passed.

ITEM #5

Application for a Class II Transfer for Chicopee Auto Sales, Inc., located at 363 Chicopee Street.

Applicant Wayne Pare, Sr.
 8 Cheney Street
 Three Rivers, MA 01080

Applicant was present.

Recommendations from the following departments were read:

Planning Department

Plan in OK. This is an existing facility. Mr. Pare wants the license to protect his investment – which makes sense.

Health Department

No concerns at this time.

Engineering Department

Approval

Fire Department

1. No parking against the structure
2. Maintain access for emergency vehicles
3. Owner to obtain all necessary licenses and permits

Restrictions

1. Good housekeeping

No outside storage

2. No. of vehicles 27
3. Hours of operation M-F 8 – 6
 Saturday 8 – 5
4. Tony's Auto to do repairs on vehicles

Motion made by Councilor Moreau to approve.

Committee vote 5 – 0 favorable.

ITEM #6

Application for the purpose of a change of location for a class II and auto repair license within the same building, moving from one bay to another.

From 930 Front Street

To 926 Front Street

Applicant Margarita Santana
 41 George Street, 2nd floor
 Westfield, MA 01085

Greg Szulak representing property owner and Mr. Santana were present at the meeting.

Mr. Szulak provided a plan that indicates where each business will park their vehicles. The plan was acceptable to the Fire and Planning Departments.

The committee accepted the plan dated 1-25-10 and signed by Councilor Belair. The current restrictions to remain in place and the restrictions dated 1/25 attached.

New restrictions added

- License holder must conform to plot plan
- Maximum number of 20 cars on display for sale (no junks, no broken glass, no flat tires)
- Maximum of 5 cars for minor repairs
- No trucks or buses
- No auto body work or spray painting
- No outside repairs
- No outside storage
- Repairs limited to one bay
- Hours of Operation
 - Monday – Friday 9 AM – 6 PM
 - Saturday 9 AM – 5 PM
 - Sunday Closed

Bathroom facilities must be posted and available during hours of operation.

Committee vote 5 – 0 favorable.

ITEM #7

Application for an Auto Detail License for Clean Impressions Auto Detailing, 932 Front Street.

Applicant Ricardo Gonzalez
 28 Abbe Avenue
 Springfield, MA 01107

Applicant and Greg Szulak, representing property owner were present.

Plan from property owner accepted and signed by Councilor Belair.

Restrictions

- No outside cleaning/detailing (all work inside)
- No outside storage (parts, junk, glass, tires)
- No auto repairs, auto body or spray painting
- No selling or rental of vehicles
- No unnecessary loud noise (radio, boom boxes, etc).
- Bathroom facilities must be posted and available during Hours of Operation
- Hours of Operation
 - Monday – Friday 9 AM – 6 PM
 - Saturday 9 AM – 5 PM
 - Sunday Closed

Motion made to accept the plan dated 1-25-10 and the restrictions dated 1-25-10.

Committee vote 5 – 0 favorable.

ITEM #8

Application for a License for Auto Repair Shop located at 184 Center Street.

Applicant Stephen Zepke
 174 Shaker Road
 East Longmeadow, MA 01028

Applicant was present at the meeting.

The Fire Department and Planning Department approved the new plan submitted on January 21, 2010.

The following recommendations were received:

Planning Department

Plan is not to scale required by ordinance. Building shown is too big which benefits the applicants since there is more room in the rear of the building than shown on the plan—approximately 90' from the rear of the building to the rear property boundary. Parking on the sides isn't realistic if you measure from the plan but there is more room on either side of the building than shown in the drawing. Certainly plenty of room for motorcycles but not sure where cars will park. Not sure how the angled parking on the south side of the building is supposed to work. The lane is one way but circulation around the building is cut off by parking spaces. Therefore the angled parking is angled against drive in traffic. Spaces in this area about 10'x13'. Motorcycles are about 7-8 feet long and 2.5 to 3 feet wide. Cars average 15.5 or 16.5 feet long and 5.5 – 6.6 feet wide. So it works for bikes but not for cars. Spaces in the front are also not to scale but there would room for the number of spaces if they were accurately drawn.

Fire Department

The Fire Department is in approval of this parking plan.

Restrictions

- Good housekeeping
- No outside storage
- No. of vehicles 11 cars, 7 motorcycles in front, 5 vehicles in fenced in pin
- Hours of Operation
 - Monday – Wednesday 9 -6
 - Thursday 9 -8
 - Friday & Saturday 9-5
 - Sunday No

Committee vote 5 – 0 favorable.

ITEM #9

2010 Class II Renewal for Bernie's Auto Sales, 1057 Montgomery Street.

License Holder Daniel Bernashe
 165 Chicopee Street
 Granby, MA

License holder submitted the following letter dated January 20, 2010.

Dear Councilor Belair:

I will not be able to attend the License Committee meeting as you requested. I will be out of the area because of prior commitments. Additionally, I will be unavailable 2/17 – 2/26. I am requesting to reschedule at a future date.

Daniel Bernashe
Bernie's Auto Sales

Motion made by Councilor Brunetti to withdraw calling in this license.

Committee vote 5 – 0 favorable.

ITEM #10

ORDERED THAT Jerry's Cycle Repair, 102 Old Fuller Road, Auto Repair License be called in before the License Committee for review of status of current ownership and rental or lease agreement.

Michelle Newell was present at the meeting.

Ms. Newell stated that she wanted to know who told Councilor Belair that she has not been paying her rent. Chairman Belair stated that that matter is not relevant to the matter before the committee. Ms. Newell kept insisting and would not show the letter from the property owner until Chairman Belair provided an answer. Attorney Garvey stated that the committee has the right to make certain that each license holder has the right to operate a business from a certain location.

Ms. Newell submitted the following letter

To Whom It May Concern:

This letter is to confirm that as of today, January 25, 2010, Michelle Newell, is current on her rent for the business known as Jerry's Cycles on 102 Old Fuller Road, Chicopee, MA 01020. Her lease expires April 30, 2010.

Signed Richard Bourbeau.

Motion made to approve. Renewal with attached letter and current restrictions.

Committee vote 5 – 0 favorable.

ITEM #11

Application for an Auto Repair License for Freedom Cycle located at 562 Chicopee Street.

Applicant Jeff Heath
 81 Meadow Street

Applicant was present at the meeting. Isaiah Salloom property owner was not present.

The original plan submitted by the applicant is drawn correctly and is acceptable.

Restrictions

- Good Housekeeping
- No outside storage
- No. of vehicles 3 outside, 6 motorcycles inside
- Hours of Operation
 - Monday – Thursday 9 -5
 - Friday 9 – 7
 - Saturday 9- 3
 - Sunday Closed
- No excessive noise
- Doors to shop to be closed as much as possible
- Approved plot plan

Committee vote 5 – 0 favorable

ITEM #12

ORDERED THAT Izzy's Garage & Shop, Inc., 562 Chicopee Street, Class II License, be called in before the License Committee for violation and restrictions. At this meeting the Committee may suspend, modify, or revoke the licenses.

License holder was not present at the meeting.

ITEM #13

ORDERED THAT T & H Truck Sales, Inc., d/b/a Krystle Kleen Auto Sales, 235 Meadow Street, be called in before the License Committee possible operation of a Class III without a license.

Michael Robare and his attorney Anthony Scibelli were present.

Chairman Belair asked Mr. Robare if the Class II is operated from the front parcel and the Class III is operated from the rear. Mr. Robare replied that that is correct.

Chairman Belair stated that he has received calls that Mr. Robare is operating his Class III from the front parcel. He stated that the Class II lot has cars that look like junk vehicles. Junk vehicles belong in the Class III area.

Attorney Scibelli informed Mr. Robare that he is to conduct his Class III operation from the rear parcel and not store junk vehicles in the Class II lot.

Motion made by Councilor Moreau to approve.

Committee vote 5 – 0 favorable.

ITEM #14

Minutes – December 28, 2009. Motion made to accept. Motion passed.

Meeting adjourned at 7:20 PM.